

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

WELLS FARGO BANK N.A.,

Plaintiff,

3:12-cv-231-PA

v.

ORDER

ELLEN M. MCCRACKEN,

Defendant.

PANNER, District Judge:

Magistrate Judge Paul Papak filed a Report and Recommendation (#54), and the matter is now before me. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Defendant filed objections and I have reviewed the file of this case *de novo*. See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). I conclude the Report

is correct. Magistrate Judge Papak's Report and Recommendation (#54) is adopted. Defendant's motion to dismiss (#41) is DENIED. Defendant's motion for summary judgment and request for judicial notice (#19) are denied as moot.

Defendant's motion for appointment of counsel (#58) is DENIED. Defendant's other pending motions, including a motion to strike (#50), motion for independent forensic analysis (#51), and a motion for sanctions (#52) are DENIED.

As noted at the May 13, 2013 status conference, I will preside over a July 23, 2013 bench trial in this judicial foreclosure case. A Trial Management Order will follow.

IT IS SO ORDERED.

DATED this 10 day of May, 2013.

A handwritten signature in black ink, reading "Owen M. Panner". The signature is fluid and cursive, with the first name "Owen" being more prominent and the last name "Panner" following in a similar style. The signature is written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE